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Attorneys for Northwest Arctic Borough

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ALASKA

)  
ENOCH ADAMS, JR., LEROY ADAMS, )  
ANDREW KOENIG, JERRY NORTON, )  
DAVID SWAN and JOSEPH SWAN, )  
)  
Plaintiff, )  
)  
v. )  
)  
TECK COMINCO ALASKA )  
INCORPORATED )  
)  
Defendant. ) Case No. A04-0049 CV (JWS)  
\_\_\_\_\_  
)  
) NOTICE OF LODGING EXHIBITS WITH  
NANA REGIONAL CORPORATION, and ) COURT [LR 39.3(6)[B]] AND FINAL  
NORTHWEST ARCTIC BOROUGH, ) EXHIBIT LIST  
)  
Intervenor-Defendants )  
)  
)  
\_\_\_\_\_

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

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Adams v. Teck Cominco  
Case No. 3:04-cv-00049-JWS  
Notice of Lodging Exhibits with Court and Final Exhibit List  
Page 1 of 4

LANDYE BENNETT BLUMSTEIN LLP  
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Please note that on January 22, 2008, Intervenor-Defendant, Northwest Arctic Borough lodged the following exhibits with the District Court. The numbers given here are the numbers affixed to the Exhibit label on each exhibit. These exhibits were marked, inspected and reviewed with the Clerk of Court on January 18, 2008.

Exh.      Description

2000	The 2007 Northwest Arctic Borough Legislative Priorities were adopted by the NAB Assembly in 2007. Legislative Priority No. 1 indicates that the NAB desires to acquire the Delong Mountain Transportation System, which links the Red Dog Mine to the port. No. 7 States that the borough continues to support the residents of Kivalina to provide a safe environment until the community is relocated. (ID).
2001	The Third Amended, Restated Contract for Services is an agreement by and between NAB and Teck Cominco Alaska Incorporated, dated October 17, 2003 (the "Contract"). The Contract is a cooperative agreement between the parties that provides a clear understanding of tax liability of the Red Dog Mine. The amounts paid by Teck Cominco to NAB under the Contract represent a substantial portion of the annual revenue collected by NAB. (ID)
2002	Chapter 6.08 of the NAB Code establishes the borough's Taxation and Economic Development Policy as it relates to the taxation of mining activities occurring within its borders, as required under the Contract. (ID)
2003	Title 9 of the NAB Code governs land management and land use within the borough, as required under the borough's home rule charter and Alaska Statutes 29.35.180(b). (ID)

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In addition to the above exhibits, Intervenors-Defendants expect to rely at trial on several filings with this Court, including the Complaint and attachments [Docket 1], Teck Cominco's Answer [Docket 6], the Supplemental Complaint and attachments [Docket 183], Teck Cominco's Answer to the Supplemental Complaint [docket 184], Teck Cominco's admissions in its Opposition to Motion for Summary Judgment [Docket 100], and Unopposed Motion for Leave to Intervene with Attached Proposed Answer [Docket 16].

Respectfully submitted this 22<sup>nd</sup> day of January, 2008.

LANDYE BENNETT BLUMSTEIN LLP  
Attorneys for Northwest Arctic Borough

s/David S. Case  
David S. Case  
Alaska Bar No. 7505010

Certificate of Service

On January 22, 2008, a true and correct of the Notice of Lodging Exhibits and Final Exhibit List was served on via electronic mail on the following counsel of record.

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James E. Torgerson  
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Page 3 of 4

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In addition, Exhibits 2000-2003 were served on the following counsel of record by the following manner:

Sean Halloran - ***Hand Delivery***  
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James E. Torgerson - ***Hand Delivery***  
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